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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/779,807

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Christopher Edwin Wrigley

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NIXON & VANDERHYE, PC

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EXAMINER

UNELUS, ERNEST

ART UNIT

PAPER NUMBER

2181

MAIL DATE

DELIVERY MODE

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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Office Action Summary

Application No.

10/779,807

Applicant(s)

WRIGLEY ET AL.

Examiner

Ernest Unelus

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on 07 March 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-32 is/are pending in the application.
- 4a) Of the above claim(s) 1-12, 17-27 and 32 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 13-16 and 28-31 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 18 February 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

RESPONSE TO AMENDMENT

1. Applicant's arguments for reconsideration of the finality of the rejection of the last Office, with respect to claims 13-16 and 28-31, is persuasive but are moot in view of the new ground(s) of rejection; therefore, the finality of that action is withdrawn

The applicant is correct: claims 13 and 28 are generic to all the figures that show a single bus; these figures are 3, 5, 7, and 8.

As previously stated in the last office action:

“Response based on traversed restriction requirement

Applicant argues that claim 13 is generic. As disclosed in MPEP 806.04(d) “A Generic Claim in an application presenting three species illustrated, for example, in Figures 1, 2, and 3, respectively, a generic claim should read on each of these views”. Claim 13 or 28 do not read on, for example, claim 1, which is directed towards fig. 9, because, while claims 13 and 28 required one bus, claim 1 requires two different buses. Fig. 9 discloses two different buses, while, base on the language of claims 13 or 28, the bus must be a single bus.

Claim rejections based on prior art

The applicant argues that the cited Minami reference doesn't disclose “a single read/write port which has both a read channel and a write channel and that these two channels can operate and perform data reads and writes independently of each other”. The applicant's fig. 3 discloses a single port 47, which clearly has a read input 47A and a write

output 47C, which are not the same. Similarly, Minami's fig. 3 shows a connection (read port) between the system bus and the DMA and a connection (write port) between the DMA and an I/O device. Therefore, Minami's read and write ports are also independent of each other. In col. 1, lines 22-26, Minami discloses *"In one function, the DMA controller causes the I/O device to output data and writes the data into the main storage. In the other function, the DMAcontroller reads out data from the main storage and causes the I/O device to receive the data"*

The claim language does not disclose a physical structure of the port and doesn't require simultaneously independent, only independent. Also, the claim only requires the channels to be "operable" to receive and output.

I. RESPONSE TO THE APPLICANT'S ELECTION

2. Applicant's election with traverse of Species I in Figures 3 and 7 mailed May 5, 2006 (Paper No. 05052006) in the reply filed on June 05, 2006 is acknowledged. The traversal is on the ground(s) that *"Species II illustrated in Figure 5 is a subset of Figure 3, i.e. splitting the single register 45 into two separate registers 45A and 45B. Additionally, Applicants contend that the Examiner's alleged Species II as disclosed in Figure 8 is actually the same species as Figure 3"*. This is not found to be persuasive because Species II illustrated in figure 5 shows two separate registers 45A and 45B, which is a different embodiment from Species I. Species I and III are different. Species I shows a register inside the DMAC while Species III discloses a DMAC without a register. Applicant's argument is not convincing because applicant's specification doesn't support the above argument. The Applicant's "Brief Description Of

The Drawings” discloses Figure 5 as an embodiment and not a subset of figure 3, which is a different embodiment from Figure 5. Page 11 on the applicant’s specification also stated “FIG. 5 shows a DMAC similar to that shown in FIG. 3, but in this case there are two storage registers in parallel”. Figures 5 and 3 are similar. However, similar doesn’t mean the same or a subset.

The applicant also argued that Species III as disclosed in Figure 8 is actually the same species as Figure 3. Species III is not the same species as figure. They are different for the same reason stated above, which is different embodiment, as disclosed in the applicant’s drawing and specification.

The requirement is still deemed proper and is therefore made FINAL.

Claims 1-12, 17-27, and 32 are withdrawn from further consideration pursuant to 37 CFR 1.142(b), as being drawn to a nonelected Species IV, there being no allowable generic or linking claim. Applicant timely traversed the restriction (election) requirement in the reply filed on June 05, 2006. Thus, at this point claims 13-16 and 28-31 are ready for examination by the examiner.”

II. INFORMATION CONCERNING OATH/DECLARATION

Oath/Declaration

3. The applicant’s oath/declaration has been reviewed by the examiner and is found to conform to the requirements prescribed in 37 C.F.R. 1.63.

III. INFORMATION CONCERNING DRAWINGS

Drawings

4. The applicant’s drawings submitted are acceptable for examination purposes.

IV. REJECTIONS BASED ON PRIOR ART

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. **Claims 13-16 and 28-31**, are rejected under 35 U.S.C. 102(b) as being anticipated by Oskouy et al. (US pat. 5,745,684).

7. As per **claims 13 and 28**, Oskouy discloses “A direct memory access controller (ATM NIC 12 of fig. 3, as col. 3, lines 58-60 discloses, “Collectively, the elements of the network interface circuit 12 function as a multi-channel intelligent direct memory access (DMA) controller coupled to the System-IO bus 38 of the host computer system 48”) for controlling data transfer between a data source (host 48 of fig. 3) and a data destination (a computer, as discloses in col. 3, lines 54-57, “Together, the elements 20-36 of NIC 12 cooperate to transfer data between the host computer 48 and the other computers in the network through multiple, dynamically allocated channels in multiple bandwidth groups”) comprising: a single read/write port (GIO interface 24 of fig. 3) comprising a read channel operable to receive data from said data source via a read path on a bus (system I/O bus 38 of fig. 3) and a write channel operable to output said received data to said data destination via a write path on said bus (see, for example, signal line 60 of fig. 4a, which discloses a read and a write channel, as discloses in col. 6, lines 1-5. As discloses in col. 3, lines 58-60, the interface is to

transfer between the host and another computer), said read and write channel being operable to perform data reads and writes independently of each other” (see col. 6, lines 1-7, which discloses, “The parallel DMA read and write control handshake signals provided via signal line 60 permit simultaneous read and write DMA requests to be sent to the SB_ATM block 48 in the System-IO Interface 20 from the ATM_SYS block 54. This in turn permits the SB_ATM block 48 to perform arbitration to allow one of the requests to be asserted on the System-IO bus 38 at a time).

8. As per claims 14 and 29, Oskouy discloses “A direct memory access controller according to claim 13,” [see rejection to claim 13 above] said direct memory access controller further comprising control logic (ATM layer core 22 of fig. 3, as discloses in col. 4, lines 2-3, “The Core 22 also comprises reassembly logic to facilitate reassembly of the received cells to packets”), said control logic being operable: to generate a source control signal specifying at least one data transfer from said data source (see col. 3, line 54 to col. 4, line 4, which discloses transfer between the host and another computer connected to the DMA 12), said read/write port further comprising a control channel (see col. 10, lines 40-62), operable to output control signals along a control path of said bus (see col. 10, lines 40-62), said control channel being operable to output said source control signal to said data source prior to receiving said received data at said read channel (see col. 10, lines 40-62); and to generate a destination control signal specifying said at least one data transfer to said data destination (see col. 10, lines 40-62), said control channel being operable to output said destination control signal to said data destination

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independently of whether said received data has been received at said read channel (see col. 10, lines 40-62).

9. As per claims 15, 16, 30, and 31, Oskouy discloses “wherein said at least one data transfer comprises a sequence of data transfers from a plurality of consecutive addresses (see col. 3, lines 54-57, which discloses transfer between the host computer and multiple computer, which have address, as discloses in col. 5, lines 33-42), said control logic being operable to generate a single source or destination control signal to control sending or writing of said sequence of data transfers from said data source or destination” (see col. 5, lines 33-42).

Claim Rejections - 35 USC § 103

10. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

11. Claims 13-16 and 28-31, are rejected under 35 U.S.C. 103(a) as being unpatentable over Minami (US pat. 6,651,114) in view of Oskouy et al. (US pat. 5,745,684).

12. As per claims 13 and 28, Minami discloses “A direct memory access controller (DMAC 280 of fig. 1) for controlling data transfer between a data source (RAM 220 of fig. 1) and a data

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destination (**I/O device 240 of fig. 1**) comprising: a single read/write port (**Bus interface 281 of fig. 1**) comprising a read channel operable to receive data from said data source via a read path on a bus and a write channel operable to output said received data to said data destination via a write path on said bus (see col. 1, line 67 to col. 2, line 5, which discloses, “data itself is read from or written into the main storage (RAM) 220 through the system bus 200 and a bus interface of the DMA controller 280. Further, the data is transferred between the DMA controller 280 and the I/O devices 240, 250 and 260 through the I/O bus 270”),

but fails to disclose expressly said read and write channel being operable to perform data reads and writes independently of each other.

Oskouy discloses read and write channel being operable to perform data reads and writes independently of each other (see Oskouy’s abstract, which discloses “GIO interface facilitates maximum utilization of the IO bandwidth, and allows several requests to be queued across the GIO interface at the same time, in each read and write direction”. See fig. 3 and col. 10, lines 46-48 for further detail).

Minami (US pat. 6,651,114) and Oskouy et al. (US pat. 5,745,684) are analogous art because they are from the same field of endeavor of a DMA between a source and a destination.

At the time of the invention it would have been obvious to a person of ordinary skill in the art to modify the a DMA controller and a control method therefor, and more particularly to a DMA controller arranged to transfer data between a main storage and an input-output (I/O) device and a control method for the DMA controller as described by Minami and a system for synchronizing the IO clock and the Core clock which facilitates ease of system design and Core logic re-usability, and which provides for pipe lining of the Core transmit load and receive

unload DMA requests, so that utilization of the IO bandwidth can be maximized as taught by Oskouy.

The motivation for doing so would have been because Gama teaches **“The design and definition of the GIO interface facilitates maximum utilization of the IO bandwidth, for example, by allowing back-to-back DMA requests over the IO bus. It also allows several requests to be queued across the GIO interface at the same time, in each read and write direction, and permits the Core to read or write data in increments rather than having to wait for the DMA buffer to be completely filled or emptied out”** (see col. 2, lines 32-39).

Therefore, it would have been obvious to combine Oskouy et al. (US pat. 5,745,684) with Minami (US pat. 6,651,114) for the benefit of creating a direct memory access controller for controlling data transfer between a data source and a data destination to obtain the invention as specified in claims 13 and 28.

13. As per **claims 14 and 29**, the combination of Minami and Oskouy discloses “A direct memory access controller according to claim 13,” [see rejection to claim 13 above], Minami further discloses said direct memory access controller further comprising control logic (page 2 from the applicant’s specification sated *“Furthermore control logic in state machines are required to control the sequencing of the transfer of data from the source to the FIFO and from the FIFO to the destination”*). Similarly, Minami discloses “In a case where data transfer is made while performing hand shaking using the two signals Req* and Ack* between the DMA controller and the I/O device in the above-stated manner, the data transfer rate obtainable by a perfect-synchronized-type design can be suppressed at the

most to a transfer rate of $(\text{I/O bus width}) \cdot (\text{system clock signal frequency}) \cdot 1/2$, which is a control logic to transfer data between the source and the destination; see col. 3, lines 25-32), said control logic being operable: to generate a source control signal specifying at least one data transfer from said data source (Minami discloses in fig. 2 a control line 170. As it known in the art, control lines are used to carry control signal. This control line is being used to specify a data transferred from the RAM 120 to one of the destination I/O devices), said read/write port further comprising a control channel (col. 3, lines 5-40 discloses control channel to transfer data between a RAM and an I/O device, which take place in the read/write interface (port)), operable to output control signals along a control path of said bus (bus 100 in fig. 2) (col. 3, lines 5-40 discloses control channel to transfer data between a RAM and an I/O device, which take place in the bus), said control channel being operable to output said source control signal to said data source prior to receiving said received data at said read channel (col. 3, lines 5-25 discloses control channel being operable to output said source control signal to said data source prior to receiving said received data at said read channel); and to generate a destination control signal specifying said at least one data transfer to said data destination (col. 3, lines 5-25 discloses control channel being operable to output said data to destination), said control channel being operable to output said destination control signal to said data destination independently of whether said received data has been received at said read channel (col. 1, lines 23-26 discloses "the DMA controller has two functions. In one function, the DMA controller causes the I/O device to output data and writes the data into the main storage. In the other function, the DMA controller reads out data from the main storage and causes the I/O device to

receive the data")..

14. As per **claims 15, 16, 30, and 31**, the combination of Minami and Oskouy discloses "A direct memory access controller according to claim 13," [see rejection to claim 13 above], Minami further discloses wherein said at least one data transfer comprises a sequence of data transfers from a plurality of consecutive addresses (col. 2, lines 16-34 discloses transfer from the source (RAM 120) to the plurality I/O devices and the other way around, where data is being transferred in a sequence from multiple I/O devices, where each of these I/O devices has an address), said control logic being operable to generate a single source or destination control signal to control sending or writing of said sequence of data transfers from said data source or destination" (page 2 from the applicant's specification sated "*Furthermore control logic in state machines are required to control the sequencing of the transfer of data from the source to the FIFO and from the FIFO to the destination*"). Similarly, Minami discloses "In a case where data transfer is made while performing hand shaking using the two signals Req* and Ack* between the DMA controller and the I/O device in the above-stated manner, the data transfer rate obtainable by a perfect-synchronized-type design can be suppressed at the most to a transfer rate of "(I/O bus width).times.(system clock signal frequency).times.1/2", which is a control logic to transfer data between the source and the destination; see col. 3, lines 25-32. Combination of the Req* and Ack* signals are combined together for transfer control).

V. RELEVANT ART CITED BY THE EXAMINER

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15. The following prior art made of record and not relied upon is cited to establish the level of skill in the applicant's art and those arts considered reasonably pertinent to applicant's disclosure. See MPEP 707.05(c).

16. The following references teach a DMAC for transfer data between a source and a data destination.

U.S. PATENT NUMBER

US 2002/0138697

VI. CLOSING COMMENTS

Conclusion

a. STATUS OF CLAIMS IN THE APPLICATION

17. The following is a summary of the treatment and status of all claims in the application as recommended by M.P.E.P. 707.07(i):

a(1) CLAIMS REJECTED IN THE APPLICATION

18. Per the instant office action, claims 13-16, and 28-31 have received a second action on the merits and are subject of a second action non-final.

DIRECTION OF FUTURE CORRESPONDENCES

19. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ernest Unelus whose telephone number is (571) 272-8596. The examiner can normally be reached on Monday to Friday 9:00 AM to 5:00 PM.


IMPORTANT NOTE

20. If attempts to reach the above noted Examiner by telephone is unsuccessful, the Examiner's supervisor, Mr. Alford Kindred, can be reached at the following telephone number:
Area Code (571) 272-4037.

The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

July 24, 2007

Ernest Unelus
Examiner
Art Unit 2181


ALFORD KINDRED
PRIMARY EXAMINER